



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Benson et al.	Examiner:	Levi, Dameon E.
Serial No.:	09/782,448	Group Art Unit:	2841
Filing Date:	February 13, 2001	Docket No.:	621-333
Confirmation No.:	9877	Customer No.:	33769
For:	SECURITY MODULE SYSTEM, APPARATUS AND PROCESS	Dated:	January 18, 2005

Commissioner for Patents
P.O. Box 1450
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On: January 18, 2005

Signature: 
Jason Longo

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

In response to the Restriction Requirement in the Office Action mailed November 17, 2004, Applicant provisionally elects, with traverse, Claims 1-17 of Group I which are drawn to a security module.

Applicants respectfully traverse the present restriction requirement. The invention has been restricted into two groups of claims. The Examiner contends that Claims 1-17 comprise one group of claims (Group I) drawn to a security module, and further contends that Claims 17-34 are in a second group (Group II) drawn to a method of manufacturing the security module.

Basically, the Examiner contends that the inventions listed in Groups I and II are distinct because the claimed manufacturing process may be used to make other materially different products, such as a power module, an electromagnetic shielding device or a tamper resistant communications device such as a telephone.

It is respectfully urged that the inventions defined by the claims in each group are so related that they should all be included in a single patent. The undersigned attorney is not sure whether the Examiner is misinterpreting the apparatus or method claims or, perhaps, the undersigned attorney does not fully understand the reasons the Examiner stated in support of the restriction requirement. Applicants would respectfully like to point out that the "security module" is not limited to a particular electronic device, but rather is apparatus which secures electronic components or data within in the module. The electronic components could be for any communications or non-communications electronic device, and is not limited to "security" circuits. In other words, with respect to a determination of whether the method and apparatus defined by the claims are distinct, it should not matter for this determination as to what circuit is protected by the security module defined by apparatus Claims 1-17 and made in accordance with the method defined by Claims 18-34. It is respectfully urged that it is not the particular circuit that is protected by the security module which should be compared, but rather the security module and the method of making the security module which should be compared to determine if the inventions are distinct.

It is respectfully urged that the security module and the method of making the security module are so interrelated and specific to one another that they should be examined together and included in a single patent. The security module as defined by Claim 1, which is used for protecting circuits from unauthorized access, includes a substrate composed of a plurality of layers, including a first layer for supporting circuit components to be protected, a cover member composed of a plurality of layers and having a surface for abutting the first layer of the substrate and defining an enclosure space for enclosing circuit components to be protected, and a sensor having at least one conduction path disposed in at least one of the layers below the first layer of the substrate and at least one conduction path disposed in at least one of the layers of the cover member. This same structure is repeated in method Claim 18.

Method Claim 18 calls for a method of manufacturing the security module having the steps of providing a substrate, the substrate composed of a plurality of layers including a first layer for supporting circuit components to be protected, providing a cover member composed of a plurality of layers and having a surface for abutting the first layer of the substrate and defining an enclosure space for enclosing circuit components to be protected, and providing a sensor having at least one conduction path disposed in at least one of the layers below the

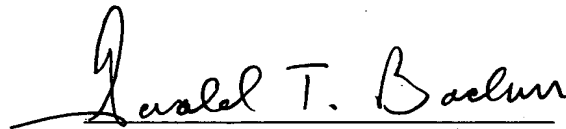
first layer of the substrate and at least one conduction path disposed in at least one of the layers of the cover member.

The parallelism between the structure set forth in method Claim 18 and the structure set forth in Claim 1 clearly supports the conclusion that the process and product claims are interrelated, and that the manufacturing process as defined by Claims 18-34 is clearly geared to making the security module defined by Claims 1-17, and not a power module, an electromagnetic shielding device, or a tamper resistant electronics communication device, such as a telephone. The structure of the security module set forth in the manufacturing claims clearly is the same as or is similar to the structure of the security module set forth in the apparatus claims.

As such, it is respectfully urged that the method and apparatus claims are so interrelated that they should be examined together and included in a single patent.

In view of the forgoing remarks, withdrawal of the restriction requirement and consideration on the merits of Claims 1-34 or, if the restriction requirement is maintained, consideration of the provisionally elected claims of Group I (Claims 1-17), are respectfully solicited.

Respectfully submitted,

A handwritten signature in dark ink, reading "Gerald T. Bodner". The signature is written in a cursive style with a horizontal line underneath the name.

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